



US Army Corps
of Engineers
Honolulu District

Public Notice of Application for Permit

Regulatory Branch (1145b)
Building 230
Fort Shafter, Hawaii 96858-5440

Public Notice Date: August 9, 2011
Expiration Date: September 9, 2011
Permit File Number: POH-2010-00332

PROPOSED ANNUAL DREDGING OF MAKIKI STREAM

Interested parties are hereby notified that an application has been received for a Department of the Army permit for certain work in waters of the United States as described below and shown on the attached drawings.

APPLICANT: City and County of Honolulu, Department of Facility Maintenance, 1000 Uluohia Street, Suite 215, Kapolei, Hawaii 96707

LOCATION: In Makiki Stream starting approximately 154' east of Kalakaua Avenue and ending at the Ala Wai Canal in Honolulu, Island of Oahu, Hawaii (LAT: 21.2917N, LONG: 157.8353W)

PURPOSE: Flood prevention. By restoring the capacity of the channel by clearing vegetation, sediment and other debris, the applicant hopes to facilitate storm flows down to the ocean.

PROPOSED WORK: The applicant proposes to remove, by mechanical means, approximately 1,300 cubic yards of silt and debris from a 1,667 linear foot section of channel commencing at the mouth of the stream at the Ala Wai Canal and proceeding mauka. The channel is approximately 10' deep and 20' in width. A crane will be used to lower a small bulldozer into the channel, which will push the sediment into piles to be removed by a crane into dump trucks for transporting to an upland disposal site. The work is proposed on an annual basis for a 10-year period. The work is scheduled to commence upon receipt of the required permits and will take two to three weeks to complete.

MITIGATION: The applicant has proposed the following mitigation efforts to reduce impacts to the aquatic environment: Silt curtains will be placed across the channel to reduce turbidity and a boom will be placed across the surface of the channel to capture floatable debris.

WATER QUALITY CERTIFICATION: A permit for the described work will not be issued until a certification or waiver of certification as required under Section 401 of the Clean Water Act (Public Law 95-217), has been received from the State of Hawaii Department of Health.

COASTAL ZONE MANAGEMENT ACT CERTIFICATION: Section 307(c)(3) of the Coastal Zone, Management Act of 1972, as amended by 16 U.S.C. 1456(c)(3), requires the applicant to certify that the described activity affecting land or water uses in the Coastal Zone complies with the

State/Territory's Coastal Zone Management Program. A permit will not be issued until the Office of State Planning, Department of Business, Economic Development, and Tourism has concurred with the applicant's certification.

PUBLIC HEARING: Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state clearly and concisely, the reasons and rationale for holding a public hearing.

CULTURAL RESOURCES: The Corps has determined that proposed project will not affect any historic property listed, or eligible for listing, in the National Register of Historic Places due to the fact that the project involves temporary activities to remove recently deposited materials within an existing man-made drainage channel and will not change the use or appearance of any historic property. We request concurrence from the State Historic Preservation Office (SHPO).

The Corps also requests consultation with the Native Hawaiian Organizations/Individuals to gather information regarding historic properties as well as the ethnographic and historic uses in the proposed permit area.

ENDANGERED SPECIES: The Corps has assessed potential impacts to Federally-listed and proposed species, and designated critical habitat in the project area. Based on the project description and listed species expected to be present in or near the proposed action area, we have determined that the proposed action may affect, but is not likely to adversely affect:

- the Hawaiian monk seal (*Monachus schauinslandi*)
- Green sea turtles (*Chelonia mydas*)

The proposed action will have no effect on any other Endangered Species Act (ESA)-listed marine species, (or designated critical habitat). The Corps has further determined that the project is within the scope of the Standard Local Operating Procedures for Endangered Species in the Central and Western Pacific Region (Pac-SLOPES). As such, this project would be covered under the programmatic informal consultation completed with the National Oceanic and Atmospheric Administration, National Marine Fisheries Service, Protected Resources Division (NOAA NMFS PRD), under Section 7 of the ESA, on August 6, 2010. If a permit is issued, the Corps will issue its authorization under the Pac-SLOPES, with the inclusion of the general and special conditions and Best Management Practices (BMPs) outlined in Pac-SLOPES and in accordance with the programmatic consultation; and requests confirmation and comments from NOAA NMFS PRD.

The Endangered Species Act (ESA) requires federal agencies to consult with the U.S. Fish and Wildlife Service (USFWS) pursuant to Section 7 of the ESA on all actions that may affect a species listed (or proposed for listing) under the ESA as threatened or endangered or any designated critical habitat. The Corps has assessed potential impacts to Federally-listed and proposed species in the project area. Below are the species that occur or have potential to occur within the project area and the Corps' determination of effect:

- Hawaiian duck (*Anas wyvilliana*)
- Hawaiian coot (*Fulica alai*)
- Hawaiian stilt (*Himantopus mexicanus knudseni*)

This project may affect but is not likely to adversely affect these species because the contained stream does not provide quality habitat for any of these species, due to its location through a heavily populated

area and we will condition the permit to prohibit work when these species are present and prohibit work during the nesting seasons of these species.

In accordance with informal consultation procedures under Section 7 of the Endangered Species Act (ESA), we request concurrence for the project with NOAA NMFS PRD/USFWS for their respective species in which we determined that the project may affect, but is not likely to adversely affect listed species.

ESSENTIAL FISH HABITAT: In accordance with the Essential Fish Habitat (EFH) requirements of the Magnuson-Stevens Fishery Conservation and Management Act, the Corps has determined that the proposal would have No Effect on EFH.

SPECIAL AREA DESIGNATION: None

AUTHORITY: This permit application will be reviewed under the following authorities:

(X) Perform work in or affecting navigable waters of the United States – Section 10 Rivers and Harbors Act 1899 (33 U.S.C. 403).

(X) Discharge dredged or fill material into waters of the United States – Section 404 Clean Water Act (33 U.S.C. 1344). The Corps' public interest review will consider the guidelines set forth under Section 404(b) of the Clean Water Act (40 CFR 230).

EVALUATION: The decision whether to issue a permit will be based on an evaluation of the probable impacts, including cumulative impacts, of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits, which reasonably may be expected to accrue from the proposal, must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered, including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people.

The U.S. Army Corps of Engineers is soliciting comments from the public; Federal, State, and local agencies and officials; and other interested parties in order to consider and evaluate the impacts of this activity. Any comments received will be considered by the Corps to determine whether to issue, modify, condition or deny a permit for the work. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the activity.

COMMENT AND REVIEW PERIOD: Conventional mail or e-mail comments on this public notice will be accepted and made part of the record and will be considered in determining whether it would be in the public interest to authorize this proposal. In order to be accepted, e-mail comments must originate from the author's e-mail account and must include on the subject line of the e-mail message the permit applicant's name and reference number as shown below. All e-mail comments should be sent to robert.d.deroche2@usace.army.mil. Conventional mail comments should be sent U.S. Army Corps of Engineers, Honolulu District, Attn: CEPOH-EC-R/Deroche, Building 230, Ft. Shafter, HI 96848-5440. Both conventional mail and e-mail comments must include the permit applicant's name

and reference number, as shown below, and the commenter's name, address, and phone number. All comments whether conventional mail or e-mail must reach this office, no later than the expiration date of this public notice to ensure consideration. Please include the following name and reference number: **POH-2010-00332.**

Comments on the described work, with the reference number, should reach this office no later than the expiration date of this Public Notice to become part of the record and be considered in the decision. Please contact Mr. Robert Deroche at (808) 438-2039 if further information is desired concerning this notice.

A handwritten signature in black ink, appearing to read 'George P. Young', with a stylized, cursive script.

George P. Young, P.E.
Chief, Regulatory Branch

Attachments

Project Drawings

DREDGING OF MAKIKI STREAM FLOOD CONTROL BETWEEN PHILIP STREET AND ALA WAI CANAL

POH-2010-00332

End of Cleaning

LOCATION:

HONOLULU, OAHU

NAME OF STREAM:

MAKIKI STREAM FLOOD CONTROL
BETWEEN PHILIP STREET AND ALA
WAI CANAL

TYPE OF CHANNEL:

RECTANGULAR CHANNEL
LENGTH OF CHANNEL: 1667 FT.
BASE WIDTH: 20 FT.

PURPOSE:

STREAM MAINTENANCE

STREAM CLEARING OPERATION:

REMOVE SILT AND DEBRIS FROM
CHANNEL AND RESTORE CHANNEL
DRAINAGE CAPACITY.

EQUIPMENT USED:

MOBILE CRANE, SMALL DOZER,
AND DUMP TRUCKS.

ESTIMATED MATERIAL REMOVED:
1300 CUBIC YARDS

ESTIMATED WORK SCHEDULE:
2 TO 3 WEEKS

SILT CONTROL MEASURES:

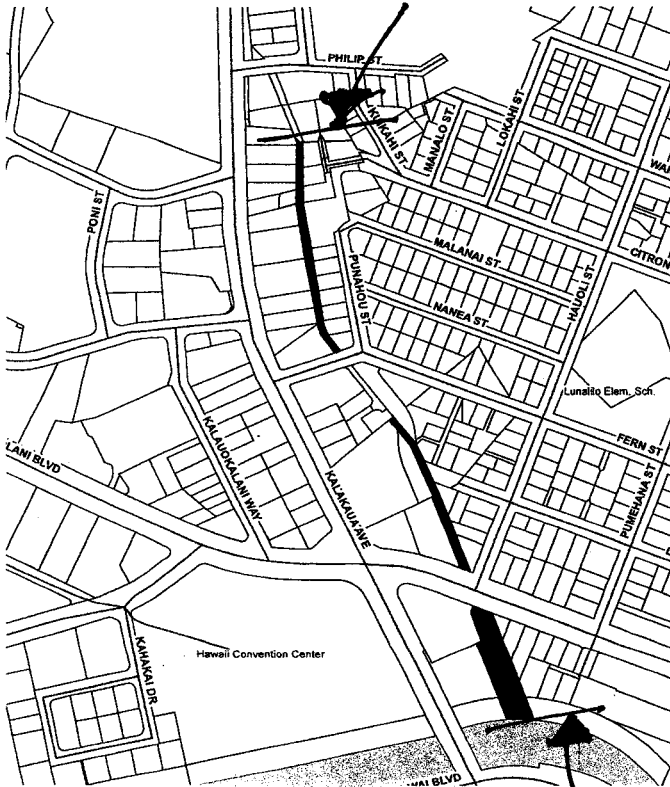
SILT CURTAINS WILL BE PLACED
ACROSS THE CHANNEL TO
REDUCE TURBIDITY AND A
BOOM PLACED ACROSS THE
SURFACE OF THE CHANNEL TO
CAPTURE FLOATABLE DEBRIS

PROPERTY OWNERS:

CITY AND COUNTY OF HONOLULU
TMK:2-3-023:010, 2-3-032:048, AND
2-3-034:036
PRIVATE
TMK:2-3-023:023

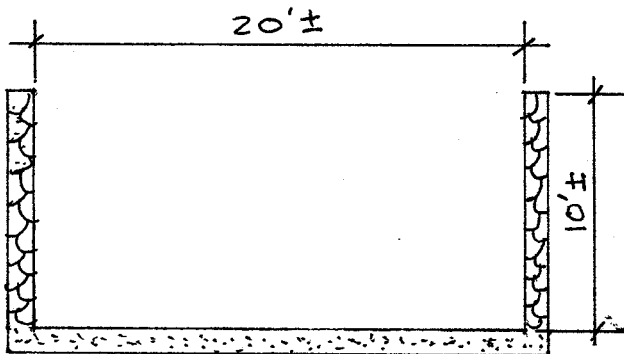
COORDINATES:

LATITUDE: 21°17'30" N
LONGITUDE: 157°50'07" W



LOCATION MAP
NTS

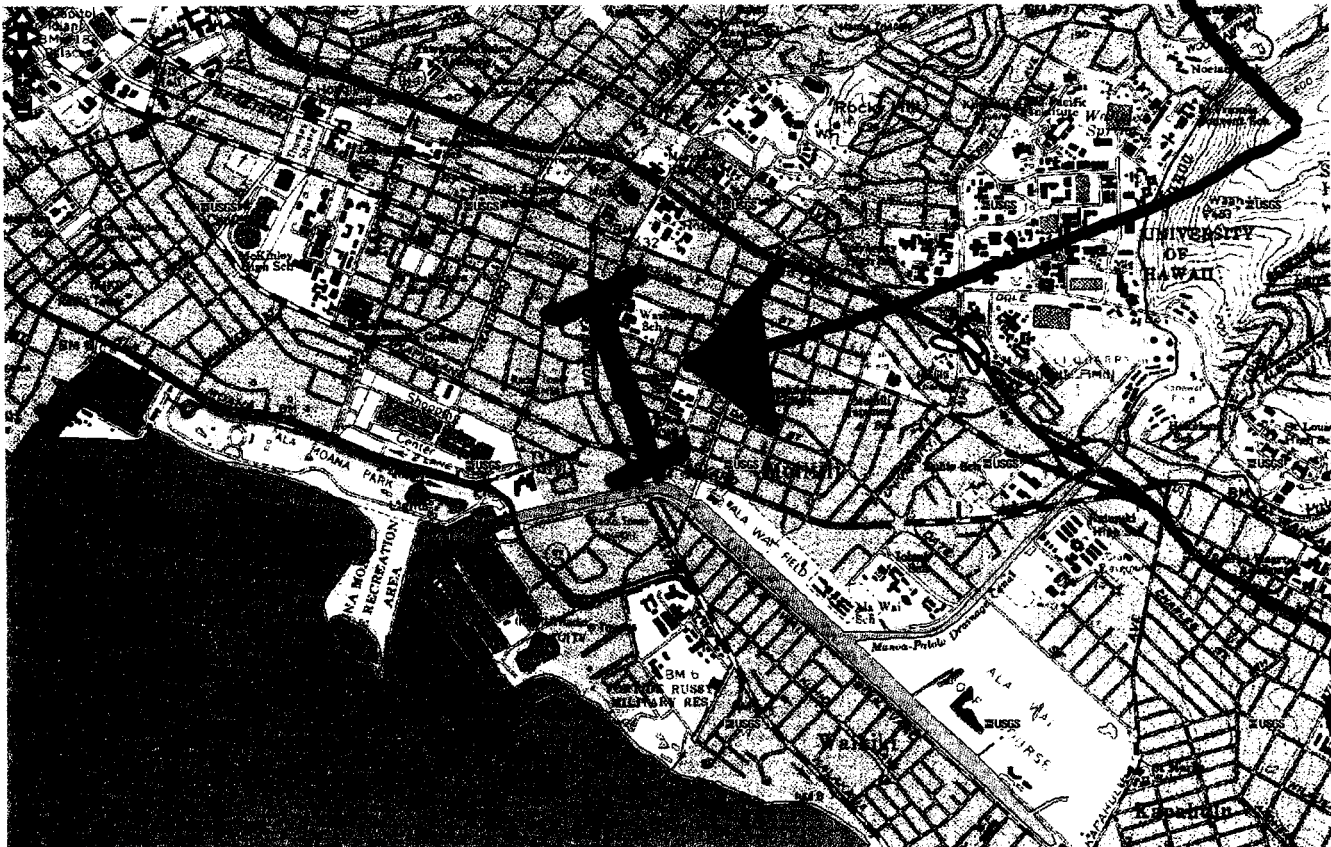
Start of Cleaning



TYPICAL SECTION
1/8" = 1'-0"



Aerial Satellite Photo, above; project length highlighted in purple (ORM, 2010); USGS Quad Topo Map w/NWI overlay, below (ORM 2010)



PROJECT LOCATION

POH-2010-332 Makiki Stream Dredging from Ala Wai Canal to Philip Street, Honolulu, Hawaii